

Examiner Interview Summary

A telephonic interview was conducted on March 16, 2009 with Examiner Petranek and the Applicants' undersigned representative. Applicants' undersigned representative discussed the elements of independent Claims 1, 5 and 10 with respect to the cited reference Larsen (US Pat No. 5,115,500) (hereinafter Larsen). Examiner Petranek indicated that proposed claim elements of a first meaning is associated with said instruction stored at said corresponding address by a processor with a first bit position from said corresponding address concatenated with said instruction, and wherein a second meaning is associated with said instruction stored at said corresponding address by said processor with a plurality of bit positions from said corresponding address concatenated with said instruction, wherein at least one of said plurality of bit positions is different from said first bit position, as claimed overcomes Larsen by amendment. Applicants have respectfully amended independent Claims 1, 5 and 10 to include the discussed elements.

Rejections 35 U.S.C. §103

Claims 1-3, 5-7, 9-12 and 14 are rejected, under 35 U.S.C. §103(a), as being allegedly unpatentable by Larsen et al, (US Pat No. 5,115,500) (hereinafter Larsen). Applicants respectfully traverse in view of the following.

Independent Claim 1 recites:

"a first meaning is associated with said instruction stored at said corresponding address by a processor with a first bit position from said corresponding address concatenated with said instruction, and wherein a second meaning is associated with said instruction stored at said corresponding address by said processor with a plurality of bit positions from said corresponding address concatenated with said instruction, wherein at least one of said plurality of bit positions is different from said first bit position", as claimed.

As presented above, the Examiner agreed that Larsen fails to teach the recited elements.

Accordingly, Larsen fails to render independent Claim 1 obvious, under 35 U.S.C. §103(a). Independent Claims 5 and 10 recite elements similar to that of independent Claim 1 and are patentable for similar reasons. Dependent claims are patentable by virtue of their dependency. As such, allowance of Claims 1-3, 5-7, 9-12 and 14 is earnestly solicited.

Claims 4, 8 and 13 are rejected, under 35 U.S.C. §103(a), as being allegedly unpatentable over Larsen in view of ("390 Principles of Operation") (hereinafter IBM). Claims 4, 8 and 13 depend from independent Claims 1, 5 and 10 respectively. IBM does not remedy the shortcomings of Larsen with respect to independent Claims 1, 5 and 10. Accordingly, Claims 4, 8 and 13 are patentable by virtue of their dependency and their allowance is earnestly solicited.

For the above reasons, the Applicants request reconsideration and withdrawal of the rejections of record.